

ORDINANCE NO. 03- 256

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
AMENDING THE LOS ALTOS MUNICIPAL CODE BY AMENDING CHAPTER 14.40  
OF TITLE 14 PERTAINING TO PRESCHOOL AND CHILD DAYCARE USES  
AND GROUND FLOOR OFFICE USES

The City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** The following Chapter of Title 14 of the Los Altos Municipal Code entitled "CN District" is hereby amended to read as follows:

**Chapter 14.40**  
**COMMERCIAL NEIGHBORHOOD DISTRICT (CN)**

**14.40.020 Specific purposes (CN).**

The specific purposes of the CN District are as follows:

- A. To retain and enhance the neighborhood convenience character;
- B. To preserve and improve the existing character by encouraging pedestrian-scale development and amenities, circulation, and landscaping;
- C. To retain an emphasis on retail uses, including service and limited office uses;
- D. To allow for mixed uses of commercial and residential; and
- E. To buffer the impacts of commercial development on neighboring residential properties.

**14.40.030 Permitted uses (CN).**

The following uses shall be permitted in the CN District:

- A. Retail and personal service establishments;
- B. Office uses located above ground floors;
- C. Office uses located on ground floors on Sherwood Avenue within the Sherwood Gateway specific plan area;
- D. Recycling facilities: (i) small collection facilities, and (ii) reverse vending machines, as provided for in Chapter 14.68;
- E. Restaurants up to twenty (20) seats, except drive-through restaurants;
- F. Parking spaces and loading areas;
- G. Other uses which are determined by the planning commission and the city council to be of the same general character; and
- H. Uses otherwise permitted which by virtue of operation may be objectionable, shall be processed as a conditional use. Conditions which may trigger a conditional use permit may include but are not limited to any business or use involving: extraordinary equipment activity, activity after regular daytime working hours and/or exterior storage or activity.

**14.40.040 Conditional uses (CN).**

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CN District:

- A. Living units, subject to the following conditions:
  - 1. Living units located above ground floors;

2. Sufficient off-street parking shall be provided on the site, or within two hundred (200) feet thereof, provided such parking can be guaranteed (by deed or instrument satisfactory to the city attorney) for the life of the conditional use;
  3. A diversity in the size of the units shall be provided; and
  4. Any further conditions that the planning commission and city council deem necessary to comply with the provisions of Section 14.02.020 of Article 1 of Chapter 14.02;
- B. Mixed use projects, including a combination of retail, service, office, and/or residential uses, which are found to be compatible with the intent of the CN District and surrounding uses and consistent with the provisions of Section 14.02.020 of Article 1 of this Chapter 14.02;
  - C. Nurseries or garden supply provided all equipment, supplies and merchandise, other than plants, shall be kept within an enclosed structure;
  - D. Personal grooming service establishments;
  - E. Preschool and child daycare facilities that do not displace a retail business. If the space had been a retail business, but that use was vacated for a minimum of one hundred and twenty (120) days, it would not be considered to be displacing a retail business;
  - F. Restaurants greater than twenty (20) seats; and
  - G. Other uses which are determined by the planning commission and the city council to be of the same general character.

**14.40.050 Limited conditional uses (CN).**

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted except within fifty (50) feet of an R1 District:

- A. Animal clinics;
- B. Cocktail lounges;
- C. Drive-in facilities, except car washes;
- D. Food markets;
- E. Laundry and dry cleaning establishments, including self-serve dry cleaning;
- F. Music and dance studios;
- G. Pet shops;
- H. Printing shops;
- I. Recycling facilities: large collection facilities as provided for in Chapter 14.68;
- J. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet. The setback of structures shall be determined by the planning commission; and
- K. Upholstery shops.

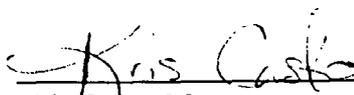
**SECTION 2. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 3. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on October 14, 2003 and was thereafter, at a regular meeting held on October 28, 2003 passed and adopted by the following vote:

Ayes: MOSS, LA POLL, BECKER, LEAR, CASTO  
Noes: None  
Absent: None

  
Kris Casto, Mayor

Attest:

  
Susan Kitchens, City Clerk

THIS PAGE WAS

INTENTIONALLY

LEFT BLANK